

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 25, 2022

Lyle W. Cayce
Clerk

No. 21-30271
CONSOLIDATED WITH
No. 21-30273
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

STEPHEN DAIGLE,

Defendant—Appellant.

Appeals from the United States District Court
for the Middle District of Louisiana
USDC No. 3:18-CR-39-1
USDC No. 3:18-CR-15-1

Before WIENER, DENNIS, and HAYNES, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Stephen Daigle has moved for leave to withdraw and has filed a brief in accordance with

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-30271

Anders v. California, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Daigle has filed responses. The record is not sufficiently developed to allow us to make a fair evaluation of Daigle's claims of ineffective assistance of counsel; we therefore decline to consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief, the supplemental brief, and the relevant portions of the record reflected therein, as well as Daigle's responses. We concur with counsel's assessment that the appeals present no nonfrivolous issue for appellate review. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEALS ARE DISMISSED. *See 5TH CIR. R. 42.2*. Daigle's pro se motion for appointment of new counsel is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).